

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DENNIS FRENCH, LYNN FRENCH, DR. BRENDA  
O'MALLEY, CATHERINE WILT, VERN BARKEL,  
and JOYCE BARKEL,

Case No. [1:07-cv-817](#)

v

HON. GORDON J. QUIST  
U.S. District Judge

ESSENTIALLY YOURS INDUSTRIES, INC.,  
ESSENTIALLY YOURS INDUSTRIES CORP.,  
ESSENTIALLY YOURS INDUSTRIES  
(Canada), INC., RONALD BOERSEMA and  
DONNA BOERSEMA,

Defendants.

/

Carl J. Gabrielse (P67512)  
Cunningham Dalman, P.C.  
Attorney for Plaintiffs  
321 Settlers Road, PO Box 1767  
Holland, MI 49422-1767  
(616) 392-1821

Tom W. Armour (P58598)  
Attorney for Defendants  
6417 S High Drive  
Morrison, CO 80465-2610  
(303) 522-2087

Gerald P. Nehra (P34930)  
Co-counsel for Defendants  
1710 Beach Street  
Muskegon, MI 49441  
(231) 755-3800

/

**ORDER OF JUDGMENT**

THIS MATTER comes before the Court, pursuant to Fed.R.Civ.P. 23(e)(2), for a fairness hearing on the proposed class settlement and to approve the proposed settlement. Having reviewed the briefs and having heard the statements of counsel, the Court

FINDS that proper notice of the proposed settlement has been sent to class members setting forth a fair summary of its terms and a procedure for making objections,

that no objections from class members have been filed nor have any requests been filed by class members to be heard at this fairness hearing. The Court concludes that the proposed class settlement is fair, reasonable and adequate.

THE COURT ALSO FINDS that the settlements 1) between the named plaintiffs and defendants Ronald and Donna Boersema, and 2) between the named plaintiffs and Jay Sargeant are fair and proper. The funds shall be distributed to the named plaintiffs and not to class members since those claims are not part of the class action claims.

Therefore,

**IT IS ORDERED** that judgment enter for the plaintiff class members and against the defendants ESSENTIALLY YOURS INDUSTRIES, INC., ESSENTIALLY YOURS INDUSTRIES CORP. and ESSENTIALLY YOURS INDUSTRIES (Canada), INC., jointly and severally, on Count I (federal securities law) and Count IV (state securities laws) for the sum of Two Hundred and Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) plus interest on this judgment as provided by 28 USC 1961.

The Court retains jurisdiction to approve forms for claims from class members and to approve the same and to award attorney fees and costs upon collection of said judgment, in whole or in part.

**IT IS FURTHER ORDERED** that all other claims set forth in the complaint and all subsequently filed amended complaints, including all claims against Ronald and Donna Boersema, be and the same are hereby dismissed, each party to pay its own attorney fees and costs.

Dated: May 11, 2009.

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE